



CITY OF DUBLIN

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)

I. PLEASE CHECK THE TYPE OF APPLICATION:

- | | |
|---|--|
| <input type="checkbox"/> Informal Review | <input checked="" type="checkbox"/> Final Plat Amended
(Section 152.085) |
| <input type="checkbox"/> Concept Plan
(Section 153.056(A)(1)) | <input type="checkbox"/> Conditional Use
(Section 153.236) |
| <input type="checkbox"/> Preliminary Development Plan / Rezoning
(Section 153.053) | <input type="checkbox"/> Corridor Development District (CDD)
(Section 153.115) |
| <input type="checkbox"/> Final Development Plan
(Section 153.053(E)) | <input type="checkbox"/> Corridor Development District (CDD) Sign
(Section 153.115) |
| <input type="checkbox"/> Amended Final Development Plan
(Section 153.053(E)) | <input type="checkbox"/> Minor Subdivision |
| <input type="checkbox"/> Standard District Rezoning
(Section 153.018) | <input type="checkbox"/> Right-of-Way Encroachment |
| <input type="checkbox"/> Preliminary Plat
(Section 152.015) | <input type="checkbox"/> Other (Please Specify): _____ |

Please utilize the applicable *Supplemental Application Requirements* sheet for additional submittal requirements that will need to accompany this application form.

II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): 5152 Glenaire Drive (Lot 1 Kerry Glen) and 5126 Glenaire Drive (Lot 2 Kerry Glen), both Dublin, OH 43017

Tax ID/Parcel Number(s):

5152 Glenaire 600-433-08-012-000
5126 Glenaire 600-433-08-012-000

Parcel Size(s) (Acres):

Lot 1 0.873 acres
Lot 2 0.715 acres

Existing Land Use/Development: Developed single family subdivision lots

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development: No use change is proposed; application is for the purpose of altering the platted building setback line to comply with Dublin Code.

Total acres affected by application: 1.588 acres

III. CURRENT PROPERTY OWNER(S): Please attach additional sheets if needed.

Name (Individual or Organization): Lot 1: Pilkington, John and ~~Kim~~ ^{Shim} Lot 2: Sean P and Crystie J. O'Neil

Mailing Address:

(Street, City, State, Zip Code)

Lot 1: 5152 Glenaire Drive, Dublin, OH 43017

Lot 2: 5126 Glenaire Drive, Dublin, OH 43017

Daytime Telephone: c/o Chris Cline, Atty 614-764-0681

Fax: 614-764-0681

Email or Alternate Contact Information: ctc@bhmlaw.com

IV. APPLICANT(S): This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name: John & Kim Pilkington, Sean P. & Christie J. O'Neil <i>Kymn</i>		Applicant is also property owner: yes <input checked="" type="checkbox"/> no <input type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.): Owner		
Mailing Address: c/o Chris Cline, Atty 300 W. Wilson Bridge Road, #300, Worthington, Ohio 43081 (Street, City, State, Zip Code)		
Daytime Telephone: 614-764-0681	Fax: 614-764-0774	
Email or Alternate Contact Information: ctc@bhmlaw.com		

V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER: This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

Name: Christopher Cline	
Organization (Owner, Developer, Contractor, etc.): Attorney	
Mailing Address: 300 W. Wilson Bridge Road, #300, Worthington, Ohio 43081 (Street, City, State, Zip Code)	
Daytime Telephone: 614-764-0681	Fax: 614-764-0774
Email or Alternate Contact Information: ctc@bhmlaw.com	

VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S): If the applicant is not the property owner, this section must be completed and notarized.

I, <i>Kymn</i> John & Kim Pilkington and Sean P. & Christie J. O'Neil, the owner, hereby authorize Christopher Cline, Attorney to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.	
Signature of Current Property Owner: <i>John M. Pilkington</i> <i>Christie O'Neil</i>	Date:

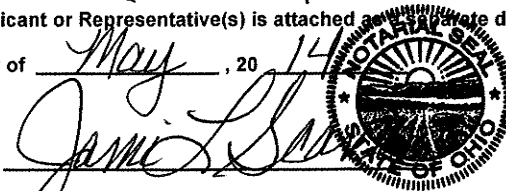
☐ Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this *15th* day of *May*, 20 *14*

State of *OHIO*

County of *FRANKLIN*

Notary Public



Jami L. Scanlon
Notary Public, State of Ohio
My Commission Expires 09-19-2015

VII. AUTHORIZATION TO VISIT THE PROPERTY: Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as noted below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I, <i>Kymn</i> John & Kim Pilkington, Sean P. & Christie J. O'Neil, the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.	
Signature of applicant or authorized representative: <i>John M. Pilkington</i> <i>Christie O'Neil</i>	Date:

VIII. UTILITY DISCLAIMER: The Owner/Applicant acknowledges the approval of this request for review by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

I, ^{Kymal} John & Kim Pilkington, Sean P. & Chrystie J. O'Neil, the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.	
Signature of applicant or authorized representative: <i>John M. Pilkington</i> * <i>Kim Pilkington</i> * <i>Chrystie O'Neil</i>	Date:

IX. APPLICANT'S AFFIDAVIT: This section must be completed and notarized.

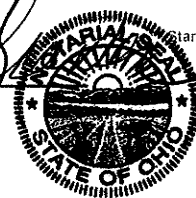
I, ^{Kymal} John & Kim Pilkington, Sean P. & Chrystie J. O'Neil, the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.	
Signature of applicant or authorized representative: <i>John M. Pilkington</i> * <i>Kim Pilkington</i> * <i>Chrystie O'Neil</i>	Date:

Subscribed and sworn to before me this 15th day of May, 202014

State of OHIO
County of FRANKLIN

Notary Public

Jami L. Scanlon



Jami L. Scanlon
Notary Public, State of Ohio
My Commission Expires 09-19-21

FOR OFFICE USE ONLY			
Amount Received:	Application No:	P&Z Date(s):	P&Z Action:
Receipt No:	Map Zone:	Date Received:	Received By:
City Council (First Reading):		City Council (Second Reading):	
City Council Action:		Ordinance Number:	
Type of Request:			
N, S, E, W (Circle) Side of:			
N, S, E, W (Circle) Side of Nearest Intersection:			
Distance from Nearest Intersection:			
Existing Zoning District:		Requested Zoning District:	

Legal Descriptions
5152 and 5126 Glenaire Drive, Dublin, OH 43017
Amendment to Kerry Glen Final Plat Application

Lot1:

Situated in the State of Ohio, County of Delaware and in the City of Dublin:

Being Lot Number One (1) of Kerry Glen, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 19, Page 39, Recorder's Office, Delaware County, Ohio

Parcel No. 600-433-012-00
Address: 5145 Glenaire Drive, Dublin, Ohio 43017

Lot 2:

Situated in the State of Ohio, County of Delaware and in the City of Dublin:

Being Lot Number Two (2) of Kerry Glen, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 19, Page 39, Recorder's Office, Delaware County, Ohio

Parcel No. 600-433-013-00
Address: 5126 Glenaire Drive, Dublin, Ohio 43017

Application Statement
5152 and 5126 Glenaire Drive, Dublin, OH 43017
Amendment to Kerry Glen Final Plat Application

This application is to amend the Final Plat of the Kerry Glen Subdivision, PB 19 page 39, Records of the Recorder of Delaware County, Ohio. The proposed amendment reduces the building setback along the east side of the Dublin Road Right-of-Way, and the west side of Lots 1 and 2, from 50' to 40'.

The Kerry Glen Subdivision is not a Planned Development District but is zoned R2 (Limited Suburban Residential District) under Dublin Code §153.021, which makes it subject to standard zoning requirements. The proposed Right-of-Way setback of 40' complies with Dublin Code §153.072(A)(1) which states that a building line is determined by the width of the Right-of-Way as it exists or as it is shown on the Thoroughfare Plan, measured from the centerline of the Right-of-Way. Since the Dublin Road Right-of-Way is 80', both in reality and on the current Thoroughfare Plan, Dublin Code requires a 40' building setback from the edge of the Right-of-Way.

At this point in time, despite a review of the records relating to the July 7, 1986 Dublin City Council approval of the Kerry Glen Subdivision zoning and Final Plat, it is uncertain why the setback along Dublin Road for Lots 1 and 2 was set at 50' rather than the code required 40'. A reading of the council minutes, combined with discussions with the developer, leads to the conclusion that the 50' setback was likely intended to accommodate the bike path that was then envisioned along the east side of Dublin Road, and would have required expansion of the Dublin Road Right-of-Way on the east side.

However, the Dublin Road bike path was in fact constructed along the west side of Dublin Road, eliminating a need for extra Right-of-Way on the east side. Lots to the north of the subdivision on the east side of Dublin Road remain in Concord Township, where Dublin Road has a 60' Right-of-Way—perhaps a contributing factor to why the bike path was constructed on the west side of the road.

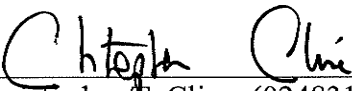
The 50' setback along the west side of Lots 1 and 2 of the Kerry Glen subdivision greatly impacts the buildability of these lots, more so for Lot 1 than for Lot 2. Lot 1, particularly, is significantly impacted due to its triangular shape with diminishing width. Lot 2 is included in this application for the sake of consistency of the setback line for all affected lots. Reducing the setback to the code requirement of 40' will enhance the usability of these lots. A downside to future municipal needs is not envisioned by the granting of this proposed setback amendment.

Granting this requested setback amendment will not alter the use of the two lots concerned, will not change the land use character in the vicinity, and will not allow development standards which are less than other lots in the subdivision. Other lots in the subdivision, other

than lots 24 and 25 which adjoin Dublin Road and already have a 40' west setback, have only a total side yard setback requirement of 20' (for both sides) with an 8' minimum on one side. This is a much more liberal standard than enjoyed for lots 1 and 2, the subject lots, even after granting of the requested amendment. All lots in the subdivision have a 25' front yard building setback based on standard code, as cited above. The internal Rights-of-Way have 50' widths.

There are no community plan issues implicated by this request, the subdivision is served by municipal utilities, and there are no public infrastructure improvements remaining to be constructed or installed.

Note. This issue of the Dublin Road setback came to light when a subcontractor made a mistake and constructed an outdoor structure within the setback area. A variance request was unsuccessful, and a review of possible solutions disclosed that the setback was in fact greater than required by 10'.



Christopher T. Cline (024831)
Blaugrund, Herbert, Kessler, Myers,
Miller & Postalakis, Inc.
Attorney for Defendants
300 West Wilson Bridge Road #100
Worthington, Ohio 43085
Tele: 614-764-0681
Fax: 614-764-0774
ctc@bhmlaw.com

List of Property Owners (150')
5152 and 5126 Glenaire Drive, Dublin, OH 43017
Amendment to Kerry Glen Final Plat Application

John and Kymn Pilkington
5145 Glenaire Drive
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-08-012-000

Sean and Crystie O'Neil
5126 Glenaire Drive
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-08-013-000

Joan and Patricia Frazier, Trustees
8731 Glenamoy Circle
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-07-011-000

Sarah and Matthew Lee
5145 Glenaire Drive
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-07-007-000

Kristopher and Kathryn Keith
5129 Glenaire Drive
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-07-006-000

Cheryl A. Briscoe
8718 Glenamoy Circle
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-07-008-000

James and Lori Adkins
5113 Glenaire Drive
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-07-005-000

James and Tracy Fowler
8701 Glenliven Court
Dublin, Ohio 43017

Delaware Auditor Parcel No: 600-433-08-015-000

Trang T. Bui
8644 Dublin Road
Delaware Auditor Parcel No: Dublin, OH 43017

600-433-08-011-000

Muirfield Village Golf Club
5606 Memorial Drive
Dublin, OH 43017

Delaware Auditor Parcel No: 600-344-08-056-000

Mark and Martha Sinkhorn
8601 Birgham Ct. South
Dublin, OH 43017

Delaware Auditor Parcel No: 600-433-02-036-000

Kerry Glen Civic Association
8740 Glenliven Ct
Dublin, OH 43017

614-792-1957

**John and Kymn Pilkington
5145 Glenaire Drive
Dublin, Ohio 43017**

**Sean and Crystie O'Neil
5126 Glenaire Drive
Dublin, Ohio 43017**

**Joan and Patricia Frazier, Trustees
8731 Glenamoy Circle
Dublin, Ohio 43017**

**Sarah and Matthew Lee
5145 Glenaire Drive
Dublin, Ohio 43017**

**Kristopher and Kathryn Keith
5129 Glenaire Drive
Dublin, Ohio 43017**

**Cheryl A. Briscoe
8718 Glenamoy Circle
Dublin, Ohio 43017**

**James and Lori Adkins
5113 Glenaire Drive
Dublin, Ohio 43017**

**James and Tracy Fowler
8701 Glenliven Court
Dublin, Ohio 43017**

**Muirfield Village Golf Club
5606 Memorial Drive
Dublin, OH 43017**

**Mark and Martha Sinkhorn
8601 Birgham Ct. South
Dublin, OH 43017**

**Trang T. Bui
8644 Dublin Road
Dublin, OH 43017**

**Kerry Glen Neighborhood Assn.
8740 Glenliven Ct.
Dublin, OH 43017**